
By: **Delegates Smigiel, Bartlett, Boteler, Boutin, Cluster, Costa, Dwyer,
Eckardt, Edwards, Elmore, Frank, Haddaway, Hennessy, Hogan,
Impallaria, Jennings, Kach, Krebs, McDonough, Miller, Myers,
Sophocleus, Sossi, Stull, Walkup, and Weldon**

Introduced and read first time: January 29, 2004

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Homicide by Motor Vehicle or Vessel - Penalties**

3 FOR the purpose of increasing the penalties for the crimes of homicide by motor
4 vehicle or vessel while under the influence of alcohol or under the influence of
5 alcohol per se and homicide by motor vehicle or vessel while impaired by alcohol;
6 and generally relating to homicide by motor vehicle or vessel.

7 BY repealing and reenacting, with amendments,

8 Article - Criminal Law

9 Section 2-503 and 2-504

10 Annotated Code of Maryland

11 (2002 Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Criminal Law**

15 2-503.

16 (a) A person may not cause the death of another as a result of the person's
17 negligently driving, operating, or controlling a motor vehicle or vessel while:

18 (1) under the influence of alcohol; or

19 (2) under the influence of alcohol per se.

20 (b) A violation of this section is:

21 (1) homicide by motor vehicle or vessel while under the influence of
22 alcohol; or

1 (2) homicide by motor vehicle or vessel while under the influence of
2 alcohol per se.

3 (c) A person who violates this section is guilty of a felony and on conviction is
4 subject to imprisonment not exceeding [5]10 years or a fine not exceeding \$5,000 or
5 both.

6 2-504.

7 (a) A person may not cause the death of another as a result of the person's
8 negligently driving, operating, or controlling a motor vehicle or vessel while impaired
9 by alcohol.

10 (b) A violation of this section is homicide by motor vehicle or vessel while
11 impaired by alcohol.

12 (c) A person who violates this section is guilty of a felony and on conviction is
13 subject to imprisonment not exceeding [3] 6 years or a fine not exceeding \$5,000 or
14 both.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2004.